

RECEIVED  
CENTRAL FAX CENTER

APR 20 2007

REMARKS

Status of the Claims

The amendments and remarks presented herein place the claims in condition for allowance. Applicants respectfully request reconsideration in view of these amendments and remarks.

Claims 1-80 were pending and have been examined. Claims 1, 21, 41, and 61 have been amended to clarify applicants' claimed invention, and thus neither narrow the claims nor introduce any new matter. Support for indicating that a past, unrecorded program is no longer available for viewing can be found at, for example, page 4, lines 6-14; and page 53, lines 6-31 of applicants' specification.

Claims 10, 20, 30, 40, 50, 60, 70, and 80 have been amended herein to correct antecedent basis. Claim 81-84 have been newly added. Support for these newly added claims can be found at, for example, claims 1, 21, 41, and 61 as originally filed, and at page 4, lines 30-33; page 60, lines 21-28; and page 61, lines 25-28 of applicants' specification.

Entry of these amendments is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 1, 3-8, 10, 12, 16, 21, 23-38, 30, 32, 36, 41, 43-48, 50, 52, 56, 61, 63-68, 70, 72, and 76 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over

222729\_1

Boyle (U.S. patent application publication no. 2005/0002649 A1) in view of Numata (U.S. patent application publication no. 2002/0038457 A1). Claims 2, 11, 22, 31, 42, 51, 62, and 71 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Boyle in view of Numata and in further view of Roth (U.S. patent application publication no. 2003/0167471). Claims 9, 29, 49, and 69 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Boyle in view of Numata and in further view of Arsenault (U.S. Patent 6,701,528). Claims 13, 33, 53, and 73 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Boyle in view of Numata and in further view of Javed (U.S. patent application publication no. 2002/0162112). Claims 14, 34, 54, and 74 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Boyle in view of Numata and in further view of Proehl (U.S. Patent 6,532,589). Claims 15, 35, 55, and 75 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Boyle in view of Numata and in further view of Proehl and Yoshinobu (U.S. Patent 5,734,444). Claims 17, 19, 37, 39, 57, 59, 77, and 79 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Boyle in view of Numata and in further view of Ismail (U.S. Patent 6,614,987). Claims 18, 38, 58, and 78 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Boyle in view of Numata and in further view of Proehl and Ismail. Claims 20, 40, 60, and 80 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Boyle in view of Numata and in further view of Steading (U.S. patent application publication no. 2006/0117347).

Applicants respectfully traverse these rejections.

Independent Claims 1, 21, 41, and 61

Independent claims 1, 21, 41, and 61 were rejected under 35 U.S.C. § 103(a) over Boyle in view of Numata.

Applicants' claimed invention is directed to providing a user with program information using an interactive television program application implemented at least partially on user equipment. A list of program listings is displayed in a grid format, and the user is allowed to scroll the list backwards in time. When the list is scrolled backwards in time, the displayed list includes at least one listing of a past, previously recorded program that is available for viewing by the user. The displayed list also includes at least one cell in the grid corresponding to a listing of a past, unrecorded program, wherein the at least one cell indicates that the past, unrecorded program is no longer available for viewing by the user.

For at least the following reasons, applicants submit that Boyle and Numata, either alone or in combination, do not render applicants' claimed invention unpatentable.

Boyle and Numata Do Not Disclose All of the Features of Applicants' Claims

Applicants submit that Boyle and Numata, either alone or in combination, do not disclose all of the features of the claimed invention. In particular, neither Boyle nor Numata

disclose a displayed list of program listings in a grid format, that when scrolled backwards in time, includes "at least one cell in the grid corresponding to a listing of a past, unrecorded program, wherein the at least one cell indicates that the past, unrecorded program is no longer available for viewing by the user."

At most, Boyle only refers to "recording indicators" that indicate a program has been recorded, is currently being recorded, or is scheduled for recording. (Boyle at page 4, pars. 0048-0049.) Moreover, the Office Action states that Boyle "does not explicitly teach 'at least one empty cell in the grid corresponding to an unrecorded program'," which is an example of such an indication. (Office Action at page 3.)

Moreover, applicants submit that Numata also does not teach this feature of applicants' claimed invention, and thus does not remedy this deficiency of Boyle. The Office Action refers to "shaded cells" depicted in FIG. 6 of Numata, which are stated to indicate "slots where no scheduled and favorite program cells are inserted." (Numata at page 5, paragraph 0087.) However, Numata's FIG. 6 only displays "To-View/Record" and "Favorites" for current and future times -- not for any past times. Thus, Numata's "shaded cells" in FIG. 6 do not correspond to past, unrecorded programs, and also do not indicate that the past, unrecorded program is no longer available for viewing by the user. Indeed, because these slots indicated in FIG. 6 are for current and future times, and not past times, their corresponding programs may still be available for viewing. Furthermore, because these slots are for current

and future times, Numata also does not teach that these "shaded cells" are displayed when the user scrolls backwards in time.

Therefore, because Boyle and Numata do not disclose all of the features of the claimed invention, applicants submit that claims 1, 21, 41, and 61 are not rendered unpatentable by Boyle and Numata. For at least this reason, reconsideration and withdrawal of this rejection is respectfully requested.

There is No Teaching, Motivation, or Suggestion  
to Combine Boyle and Numata In the Manner  
Proposed in the Office Action

The Office Action contends that it would have been obvious to combine Boyle's electronic program guide (EPG) of FIG. 7A with Numata's EPG of FIG. 6 in order to "allow[] the recorded programs to be seen much clearer removing unnecessary clutter from the EPG." (Office Action at page 3-4.) Applicants respectfully disagree with this contention for at least the following two reasons.

First, applicants submit that the respective EPGs of Boyle and Numata cited in the Office Action present program information in different layouts that are not readily combinable. Moreover, neither Boyle nor Numata provides any teaching, suggestion or motivation as to how to combine these different layouts. For example, in Boyle, the EPG of its FIG. 7A organizes program information by time and channel, in depicting "a plurality of program identifiers for identifying programs broadcast on respective channels relative to the time of day." (Boyle at page 4, paragraph 0048; emphasis added.) While in Numata, the EPG of FIG. 6 does not even use channels

to organize its programs, but instead depicts programs in rows labeled "To-View/Record" and "Favorites" programs, in which the programs in each row were specifically selected by the user. Thus, applicants submit that because these respective EPGs are stated to have different purposes and arrangements such that they are not readily combinable, it would not have been obvious for a skilled worker to combine them in the manner proposed in the Office Action.

Second, applicants submit that the Office Action's purported rationale of "allowing recorded programs to be seen much clearer" would not have motivated a skilled worker to combine Boyle and Numata, because each document already refers to its own, specific approach for addressing this alleged problem. In Boyle's approach, recorded programs are highlighted by "icons" (ref. nos. 78, 80, and 82 of FIG. 7A) in order to "enhance[] the program guide by providing the user with program recording information . . . [o]therwise the user must exit the program guide and display another menu . . . to view the program recording information which is inconvenient." (Boyle at page 4, paragraph 0049.) In contrast, Numata's approach highlights recorded programs in a "Schedule EPG" in which "the user can create a user-specific program guide screen in which only information about programs the user wish to view/record . . . are displayed." (Numata at page 1, paragraph 0012.) Thus, applicants submit that a skilled worker, already having a solution to the problem of "allowing recorded programs to be seen much clearer" from one document, would not have been motivated to seek another solution from another document.

Therefore, because there would have been no teaching, suggestion, or motivation to combine Boyle and Numata in the manner proposed in the Office Action, applicants submit that for at least this additional reason claims 1, 21, 41, and 61 are not rendered unpatentable by Boyle and Numata. For at least this additional reason, reconsideration and withdrawal of this rejection is respectfully requested.

Dependent Claims 2-20, 22-40, 42-60, and 62-84

The rejections of claims 2-20, 22-40, 42-60, and 62-80 under 35 U.S.C. § 103(a) are all predicated on the same alleged disclosures and motivations in Boyle and Numata as relied on for the rejection of claims 1, 21, 41, and 61. Moreover, none of the additional cited documents would have remedied the deficiencies, as discussed above, of Boyle and Numata.

Therefore, applicants submit that claims 2-20, 22-40, 42-60, and 62-80 are also patentable for at least the reasons that the independent claims are patentable. Newly added claims 81-84, which also depend from claims 1, 21, 41, or 61, are also patentable for at least the reasons that the independent claims are patentable. However, applicants expressly reserve their right to argue the patentability of any dependent claim, or any other feature not discussed herein, in a future proceeding.

RECEIVED  
CENTRAL FAX CENTER

APR 20 2007

Conclusion

Applicants respectfully submit that all of the pending claims are in form for allowance. If the Examiner believes, however, that any matters remain outstanding, applicants respectfully request that the Examiner call the undersigned.

Respectfully submitted,



Tae Bum Shin  
Ltd. Reg. No. L0091  
Agent for Applicants

FISH & NEAVE IP GROUP  
ROPES & GRAY LLP  
Customer No. 1473  
1211 Avenue of the Americas  
New York, New York 10036-8704  
Tel.: (650) 617-4000 (CA)  
Fax : (212) 596-9090 (NY)